



PTO/SB/30 (09-04)

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**Request
for
Continued Examination (RCE)
Transmittal**Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	10/053,582
Filing Date	January 24, 2002
First Named Inventor	Kazuki HOSOYA et al.
Art Unit	3743
Examiner Name	Tho V. DUONG
Attorney Docket Number	018842.1195

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____ii. ☐ Other _____b. ☒ Enclosedi. ☒ Amendment/Replyiii. ☐ Information Disclosure Statement (IDS)ii. ☐ Affidavit(s)/ Declaration(s)iv. ☐ Other _____2. **Miscellaneous**a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)b. ☐ Other _____3. **Fees**

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 02-0375. I have enclosed a duplicate copy of this sheet.i. ☒ RCE fee required under 37 CFR 1.17(e)ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)iii. ☐ Other _____b. ☒ Check in the amount of \$ 790.00 enclosedc. ☐ Payment by credit card (Form PTO-2038 enclosed)**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.****SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Signature		Date	02/09/05
Name (Print/Type)	James B. Arpin	Registration No.	33,470

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. 02/10/2005 10:30:01 00000003 10053582

Signature		Date	
Name (Print/Type)		Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary upon the individual case. Any comment on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



FEE TRANSMITTAL [MAIL STOP RCE]		Complete If Known																																									
		Application No.	10/053,582																																								
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		Group Art Unit	3743																																								
Total Amount Of Payment (\$)		790.00	Attorney Docket No.	018842.1195																																							
METHOD OF PAYMENT (check one)		FEE CALCULATION (continued)																																									
1. <input type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to Deposit Account No. 02-0375 in the name of Baker Botts L.L.P.		3. ADDITIONAL FEES <table border="1"><thead><tr><th>Fee Description</th><th>Fee Paid</th></tr></thead><tbody><tr><td><input type="checkbox"/> Surcharge - late filing fee or oath</td><td>\$</td></tr><tr><td><input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet</td><td>\$</td></tr><tr><td><input type="checkbox"/> Extension for reply with 2 month</td><td>\$</td></tr><tr><td><input type="checkbox"/> Notice of Appeal</td><td>\$</td></tr><tr><td><input type="checkbox"/> Filing Brief in Support of Appeal</td><td>\$</td></tr><tr><td><input type="checkbox"/> Request for Oral Hearing</td><td>\$</td></tr><tr><td><input type="checkbox"/> Utility Issue Fee (or reissue)</td><td>\$</td></tr><tr><td><input type="checkbox"/> Design Issue Fee</td><td>\$</td></tr><tr><td><input type="checkbox"/> Plant Issue Fee</td><td>\$</td></tr><tr><td><input type="checkbox"/> Petitions to Commissioner</td><td>\$</td></tr><tr><td><input type="checkbox"/> Petition to Revive (unavoidable)</td><td>\$</td></tr><tr><td><input type="checkbox"/> Petition to Revive (unintentional)</td><td>\$</td></tr><tr><td><input type="checkbox"/> Petitions Related to Provisional Applications</td><td>\$</td></tr><tr><td><input type="checkbox"/> Submission of Information Disclosure Statement</td><td>\$</td></tr><tr><td><input type="checkbox"/> Filing Submission After Final Rejection</td><td>\$</td></tr><tr><td><input type="checkbox"/> Recordation of Assignment Document</td><td>\$</td></tr><tr><td><input type="checkbox"/> Filing Request for Reexamination</td><td>\$</td></tr><tr><td><input checked="" type="checkbox"/> Other (specify) Request for Continued Examination Transmittal</td><td>\$ 790.00</td></tr></tbody></table>				Fee Description	Fee Paid	<input type="checkbox"/> Surcharge - late filing fee or oath	\$	<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet	\$	<input type="checkbox"/> Extension for reply with 2 month	\$	<input type="checkbox"/> Notice of Appeal	\$	<input type="checkbox"/> Filing Brief in Support of Appeal	\$	<input type="checkbox"/> Request for Oral Hearing	\$	<input type="checkbox"/> Utility Issue Fee (or reissue)	\$	<input type="checkbox"/> Design Issue Fee	\$	<input type="checkbox"/> Plant Issue Fee	\$	<input type="checkbox"/> Petitions to Commissioner	\$	<input type="checkbox"/> Petition to Revive (unavoidable)	\$	<input type="checkbox"/> Petition to Revive (unintentional)	\$	<input type="checkbox"/> Petitions Related to Provisional Applications	\$	<input type="checkbox"/> Submission of Information Disclosure Statement	\$	<input type="checkbox"/> Filing Submission After Final Rejection	\$	<input type="checkbox"/> Recordation of Assignment Document	\$	<input type="checkbox"/> Filing Request for Reexamination	\$	<input checked="" type="checkbox"/> Other (specify) Request for Continued Examination Transmittal	\$ 790.00
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<input type="checkbox"/> Charge any additional fee required under 37 C.F.R. §§ 1.16 and 1.17 to Deposit Account No. 02-0375 .																																											
2. <input checked="" type="checkbox"/> Check Enclosed. The Commissioner is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to Deposit Account No. 02-0375 in the name of Baker Botts L.L.P., The Warner, Suite 1300, 1299 Pennsylvania Avenue, N.W., Washington, D.C. 20004-2400.																																											
FEE CALCULATION																																											
1. BASIC FILING FEE <input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity																																											
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Utility Filing Fee		\$																																									
Design Filing Fee		\$																																									
Plant Filing Fee		\$																																									
Reissue Filing Fee		\$																																									
Provisional Filing Fee		\$																																									
2. EXTRA CLAIMS FEES																																											
CLAIMS AS AMENDED																																											
For	Number Present	Highest Number Paid For	Extra	Rate		Amount																																					
				Large Entity	Small Entity																																						
TOTAL CLAIMS		20	0	x \$ 50.00	x \$ 25.00	\$0.00																																					
INDEPENDENT CLAIMS		3		x \$ 200.00	x \$ 100.00	\$0.00																																					
MULTIPLE DEPENDENT CLAIMS				\$ 360.00	\$ 180.00	\$0.00																																					
TOTAL EXTRA CLAIMS FEES						\$0.00																																					
SUBMITTED BY				Complete (if applicable)																																							
Typed or Printed Name		James B. Arpin		Registration No.		33,470																																					
Signature		Date		3/9/05		Deposit Account User ID																																					
						02-0375																																					



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:)	
)	
Kazuki HOSOYA <u>et al.</u>)	Examiner: Tho V. DUONG
)	
Application No: 10/053,582)	Group Art Unit: 3743
)	
Filed: January 24, 2002)	Confirmation No. 3494
)	
For: HEAT EXCHANGERS AND)	
METHODS FOR)	
MANUFACTURING SUCH HEAT)	
EXCHANGERS)	

RESPONSIVE AMENDMENT ACCOMPANYING A REQUEST
FOR CONTINUED EXAMINATION UNDER 37 C.F.R. § 1.114

MAIL STOP RCE
U.S. Patent and Trademark Office
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

In response to the Office Action, mailed December 9, 2004, and the Advisory Action, mailed February 10, 2005, Applicants respectfully request that the Examiner reconsider the above-captioned patent application in view of the following:

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Amendments to the Drawings begin on page 5 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

Request for Reconsideration and Remarks begin on page 6 of this paper.

Conclusion and Request for Interview begin on page 13 of this paper.